IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 30TH JULY 2007 / 8TH SRAVANA 1929

RP.No. 670 of 2007(K)

AGAINST THE JUDGEMENT IN W.P.(C).NO.25092/2001 DATED 22/06/2007
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PETITIONER/PETITIONER:

C.D.R. ANOOP KUMAR,
NAVAL ACADEMY PROJECT,
EZHIMALA, PAYYANNUR,
KANNUR DISTRICT.

BY ADV. SRI.ELVIN PETER P.J.

RESPONDENTS/RESPONDENTS:
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1. UNION OF INDIA, REPRESENTED BY
DEFENCE SECRETARY, MINISTRY OF DEFENCE,
SOUTH BLOCK, NEW DELHI.

2. THE CHIEF OF THE NAVAL STAFF,
NAVAL HEAD QUARTERS, NEW DELHI - 110 011.

BY ADV. SRI. P. PARAMESWARAN NAIR, ASST. S.G.

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 30/07/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J.

R.P.No.670 OF 2007 IN
W.P(C).NO.25092 OF 2001

Dated this the 30th day of July, 2007

O R D E R

Heard learned counsel for the petitioner and the learned Assistant Solicitor General for the respondents.

2. The petitioner seeks review of the judgment dated 22.6.2007 in O.P.No.25092/01 on the ground that the present Commanding Officer would not be able to give a report regarding the petitioner, who had not been carrying on the activities of flying under the said Officer. The petitioner, therefore, confines the submissions to a request that Ext.P1 report, which was issued by the Commanding Officer under whom he had worked, be considered by the competent authority.

3. Though the petitioner had grievances even against Ext.P1 report, ends of justice would be satisfied if the petitioner's case is considered having regard to Exts.P1 and P6, rather than call

for a report as directed in the judgment, from the present Commanding Officer.

In the result, the review petition is allowed modifying the directions contained in the judgment dated 22.6.2007 to the effect that the appropriate authority in the Naval Head Quarters will consider the recommendations of the Commanding Officer as are contained in Exts.P1 and P6 and take a final decision accordingly.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.